

### **REMARKS/ARGUMENTS**

Claims 1-10 and 22 are pending in the captioned application. Applicants hereby cancel claims 2-6 and 22, amend claims 1 and 7, and add new claims 23 and 24. Applicants respectfully request reconsideration and allowance of the claims in view of the following arguments.

The objection to the declaration was maintained by the Examiner. In response, Applicants submit a newly signed declaration. As per the rule, the alterations are both dated and signed by the inventor at each occurrence. Applicants respectfully request reconsideration and withdrawal of this objection.

The claims stand rejected under 35 U.S.C. §112, first paragraph, for lack of enablement. Applicants respectfully disagree.

The Examiner states that the specification, while being enabling for the separation of plasmid DNA and RNA in separate phases using a two phase system disclosed, it is not enabling for any two phase system broadly claimed. In an effort to expedite prosecution, Applicants have amended claim 1 to define the system as an EOPO/dextran system with specific polymers concentrations, support of which can be found on page 19, lines 5-20. As such, the rejection under 35 U.S.C. §112, first paragraph, should be withdrawn.

Applicants have also amended claim 7, support of which can be found again on page 19, lines 5-20, as well as Examples 2-4. In addition, Applicants also add new claims 23 and 24. These claims are supported by the specification as the Examiner

indicated. Specifically, see page 16, line 14 (the bacterial lysate was desalted and eluted in 5 mM sodium phosphate) and page 16, line 21 (the composition containing the polymer mixture was prepared in a buffer containing 50 mM Na<sub>2</sub>HPO<sub>4</sub>).

Applicants respectfully assert that the claims are in allowable form and earnestly solicit the allowance of the claims 1, 7-10 and 23-24.

Early and favorable consideration is respectfully requested.

Respectfully submitted,

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